

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

1. S.B. Civil Writ Petition No. 16370/2025

Dr Sanju Meena W/o Surya Prakash Meena, Aged About 32 Years, R/o Hisar Road, Ward No. 1, Vtc Rajgarh, Po Sadulpur, Churu, Rajasthan-331023

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Services, Govt. Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director/ Additional Director (P.h.), Medical And Health Services, Govt. Of Rajasthan, Swasthaya Bhawan, C-Scheme, Ashok Nagar, Jaipur, Rajasthan-302007
3. The Principal, Sampurnanand Medical College, Residency Road, Sector-D, Shastri Nagar, Jodhpur, Rajasthan-342003
4. The Principal, Sms Medical College, Jln Marg, Gangwal Park, Adarsh Nagar, Jaipur, Rajasthan-302004.
5. National Medical Commission, Through Its Secretary, Pocket - 14, Sector - 8, Phase-I, Dwarka, New Delhi-110077

-----Respondents

Connected With

2. S.B. Civil Writ Petition No. 16478/2025

Dr. Rachita Sewara D/o Ram Singh Meena, Aged About 30 Years, R/o Flat No. 1201, Tower-11, Emaar Palm Gardens, Near Hayatt Regency, Vtc Sector 83, Sikanderpur, Haryana- 122004, Currently Present At Jaipur, Rajasthan

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Services, Govt. Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director/ Additional Director (P.h.), Medical And Health Services, Govt. Of Rajasthan, Swasthaya Bhawan, C-Scheme, Ashok Nagar, Jaipur, 302007 (Raj.).
3. The Principal, Dr. Sampurnanand Medical College,

Residency Rd, Sector-D, Shastri Nagar, Jodhpur,
Rajasthan 342003

4. The Principal, Rnt Medical College And Hospital, Court Chowk, Citys Prime Health Care Area, Udaipur, Rajasthan
5. Office Of Chairman Neet Pg Admission/ Counselling Board -2025, Sms Medical College, Jaipur, Rajasthan
6. The Principal Aims, F6G7-97M, Maidan Garhi, Asola, New Delhi, Delhi 110068
7. National Medical Commission, Through Its Secretary, Pocket - 14, Sector - 8, Phase-I, Dwarka, New Delhi-110 077
8. The Secretary, Department Of Medical Education, Govt. Of Rajasthan, Secretariat, Jaipur, Rajasthan.

-----Respondents

3. S.B. Civil Writ Petition No. 16484/2025

Dr Meengandha Luniwal D/o Surendra Kumar Luniwal, Aged About 31 Years, R/o Raipura Brahman, Po Bawanpara, District-Dausa Rajasthan-303326

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Services, Govt. Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director/ Additional Director (P.h.), Medical And Health Services, Govt. Of Rajasthan, Swasthaya Bhawan, C-Scheme, Ashok Nagar, Jaipur, 302007 (Raj.).
3. National Medical Commission, Through Its Secretary, Pocket - 14, Sector - 8, Phase-I, Dwarka, New Delhi-110 077
4. The Principal Sms Medical College And Hospital, Jawahar Lal Nehru Marg, Gangawal Park, Adarsh Nagar, Jaipur, Rajasthan 302004
5. The Principal, Jln Medical College, Kala Bagh, Ajmer, Rajasthan 305001

-----Respondents

4. S.B. Civil Writ Petition No. 343/2026

Dr. Aakhya Pandey D/o Ashok Pandey, Aged About 31 Years,

R/o Kanoongopura Uttari, Bahraich, Uttar Pradesh - 271801

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Medical Education, Govt. Of Rajasthan, Secretariat, Jaipur, Raj.
2. The Commissioner, Department Of Medical Education, Govt. Of Rajasthan, Chikitsa Siksha Bhawan, Near Pink Square Mall, Govind Marg, Jaipur, Raj.
3. The Chairman, Dm / Mch / Ms / Md / Other Candidates Allotment Board - 2025, S. M. S. Medical College, Jaipur, Raj.
4. The Secretary, National Medical Commission, Pocket - 14, Sector - 8, Phase - I, Dwarka, New Delhi - 110077
5. The Principal, R. N. T. Medical College, Udaipur, Rajasthan.
6. The Principal, J. L. N. Medical College, Ajmer, Rajasthan.

-----Respondents

5. S.B. Civil Writ Petition No. 2737/2026

Dr. Anita Lamba D/o Arjun Lal Lamba, Aged About 36 Years,
R/o 48, Jai Chamunda Colony, Behind Alka Cinema, Murlipura,
Jaipur-302023

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Services, Govt. Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director/ Additional Director (P.h.), Medical And Health Services, Govt. Of Rajasthan, Swasthaya Bhawan, C-Scheme, Ashok Nagar, Jaipur, 302007 (Raj.).
3. Office Of Chairman Dm/m.ch/md/ms Candidates Allotments Board-2025, Sms Medical College Jln Marg Jaipur 302004
4. The Principal, S.m.s. Medical College And Hospital, Gangawal Park, Adarsh Nagar, Jaipur, Rajasthan 302004
5. National Medical Commission, Through Its Secretary,

Pocket - 14, Sector - 8, Phase-I, Dwarka, New Delhi-110
077

-----Respondents

6. S.B. Civil Writ Petition No. 7776/2026

Dr. Hilor Goyal, D/o Deepak Goyal, Aged About 29 Years, R/o
4/136, Sfs Mansarovar, Jaipur Rajasthan-302020

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Medical And Health Services, Govt. Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director/ Additional Director (P.h.), Medical And Health Services, Govt. Of Rajasthan, Swasthaya Bhawan, C-Scheme, Ashok Nagar, Jaipur, 302007 (Raj.).
3. Office Of Chairman Dm/m.ch/md/ms Candidates Allotments Board-2024, Ruhs College Of Dental Sciences, Subhash Nagar, Behind Tb Hospital, Jaipur.
4. The Principal, S.m.s. Medical College And Hospital, Gangawal Park, Adarsh Nagar, Jaipur, Rajasthan 302004
5. The Principal Dr. Sampurnanand Medical College, Residency Rd, Sector-D, Shastri Nagar, Jodhpur, Rajasthan 342003
6. National Medical Commission, Through Its Secretary, Pocket-14, Sector-8, Phase-1, Dwarka, New Delhi-110 077

-----Respondents

For Petitioner(s)	:	Ms. Purvi Mathur with Ms. Kushagra Sharma, Mr. Sharad Dadhich and Mr. Bheeshm Sharma Mr. Arvind Kumar Singh with Mr. Arun Chaudhary
For Respondent(s)	:	Mr. Archit Bohra, AGC Mr. Angad Mirdha Ms. Tanvisha Pant for Mr. Vigyan Shah, AAG

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

05/05/2026

1. Considering the fact that the relief prayed for in all the present writ petitions is similar but for the minor variations and that the matters warrant adjudication on common issues with respect to facts applicable to the respective petitioners, for the sake of convenience, with the consent of learned counsel for the parties, the Civil Writ Petition No.16370/2025 titled as Dr Sanju Meena Vs. The State of Rajasthan and Ors., is taken as the lead matter and the prayer made therein is reproduced as under:-

"In these circumstances, it is, therefore, prayed that this Hon'ble Court may be pleased to accept this writ petition and;

- i. The Hon'ble Court may be pleased to direct the Respondent No. 3 Dr. S.N. Medical College, Jodhpur to forthwith release the Petitioner's original academic documents along with her Final Degree Certificate,*
- ii. The Direct the Respondents to waive the remaining two (2) months of the Petitioner's service bond period; OR Alternatively, permit the Petitioner to furnish an appropriate undertaking before this Hon'ble Court stating that she is willing to render her services for the remaining two-month bond period as and when a suitable vacancy arises in the near future;*
- iii. Any other appropriate order or direction which this Hon'ble Court deems just and proper in the facts and circumstances of this case may kindly also be passed in favour of the Petitioner."*

2. Learned counsel for the petitioners, at the very outset, submit that the petitioners are MBBS Post Graduate (**PG**) pass out students of the academic batch of the year 2021 and are very much entitled for seeking release of their original academic documents along with their Final Degree Certificate and there is no authority whatsoever available with the respondents to retain the same, more particularly in light of series of orders/judgments passed by this Court in cases mentioned below:-

- i. **S.B. Civil Writ Petition No.1347/2024**, titled as **Dr. Amit Soni Vs. The State of Rajasthan**, along with other connected matters, wherein an interim order was passed on 21.02.2024 and thereafter, the said writ petitions came to be disposed of on 08.05.2024;
- ii. **S.B. Civil Writ Petition No.6559/2025**, titled as **Dr. Syed Shabaz Vs. The State of Rajasthan & Ors.**, along with other connected matters, decided on 06.06.2025;
- iii. **S.B. Civil Writ Petition No.12611/2022**, titled as **Dr. Nishant Gopaal & Ors. Vs. The State of Rajasthan & Ors.**, along with other connected matters, decided on 10.11.2022, against which a **D.B. Special Appeal Writ No.1311/2022**, titled as **The State of Rajasthan Vs. Dr. Nishant Gopaal**, along with other connected matters, has been filed and is pending consideration, however, the interim relief was considered and decided vide order dated 09.12.2022.

3. Learned counsel for the petitioners submit that all the above matters pertain to MBBS PG students belonging to the academic

batch of year 2021 and thus, they are all similarly placed and the benefit as has been granted by this Court in the earlier orders cannot be denied to the present petitioners.

4. This Court in the case of **Nishant Gopaal (supra)**, **S.B. Civil Writ Petition No.12611/2022**, while considering the issue regarding retention of the original documents of the petitioners and non-releasing of the same by the respondents, has specifically directed the respondents to return the original documents of the petitioners. The said direction was assailed by the respondents – State by filing a **D.B. Special Appeal Writ No.1311/2022**, wherein, vide order dated 09.12.2022, it has been held as under:-

"On the aforesaid prima-facie considerations on the basis of the arguments of learned counsel for the parties, while we are not inclined to stay the directions, which have been issued by the learned Single Judge in the matter, however, as far as return of documents is concerned, it is directed that on writ petitioners submitting an undertaking on affidavit before this Court that if they are not inclined to accept appointment offered to them, they will deposit the amount payable under the bond and on submission of an affidavit before the concerned authority regarding filing of undertaking before this Court along with copy of the undertaking, the documents/credentials/certificates/mark-sheets shall be returned to the respondents."

5. The said findings were duly considered in the subsequent orders passed by this Court in the case of **Dr. Amit Soni (supra)** and **Dr. Syed Shabaz (supra)** thus, learned counsel for the petitioners submit that the relief as was granted to the petitioners therein must be granted to the present petitioners as well.

6. Mr. Archit Bohra, learned AGC, submits that the case of the present petitioners is distinguishable from the petitioners whose orders have been relied upon, as in the present case, the petitioners were granted appointment and they have even served the State for a certain period and thus, the findings as recorded by the Hon'ble Division Bench in its order dated 09.12.2022 cannot be applied in the same manner.

7. Heard learned counsel for the parties.

8. Before proceeding further, this Court is mindful of the fact that judicial discipline, consistency and propriety are required to be maintained. For declining a relief to the petitioners in the present case, it is imperative for us to arrive at a finding that the orders relied upon by the petitioners are not applicable upon them or are distinguishable on the facts obtained.

However, under no circumstances the case of the present petitioners can be distinguished with the case relied upon by the learned counsel for the petitioners and thus, the relief as granted to the petitioners therein deserves to be granted to the petitioners herein as well.

9. The submission made by the learned counsel for the respondents that as the petitioners herein have already served the respondent – State for a certain time and thus, the very same fact distinguishes their case from the case of the petitioners in respect of whom the orders were earlier passed by this Court, is bereft of merits as by serving the State, the petitioners cannot be placed below par than the persons who were granted the benefit of release of documents at the very outset.

10. Taking note of the aforesaid facts and taking guidance from the earlier orders passed by this Court, the present writ petitions are allowed to the extent of directing the respondents to forthwith release the petitioners' original documents along with their Final Degree Certificate.

However, in terms of the order passed by the Hon'ble Division in ***D.B. Special Appeal Writ No.1311/2022***, prior to the said release of the documents, the petitioners would be required to submit an undertaking on affidavit before this Court that if they are not inclined to accept appointment offered to them or continue on their respective posts, they will deposit the amount payable under the bond and on submission of an affidavit before the concerned authority regarding filing of undertaking before this Court along with copy of the undertaking, the documents/credentials/certificates/mark-sheets shall be returned to the respondents.

11. With the aforesaid directions, the present writ petitions are disposed of.

12. Pending application(s), if any, also stands disposed of.

(ANUROOP SINGHI),J